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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,342	10/07/2002	Jui-Lin Hung	9289-US-PA	2209

31561 7590 01/06/2005

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

TRIMMINGS, JOHN P

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/065,342	Applicant(s) HUNG ET AL.	
	Examiner John P Trimmings	Art Unit 2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 3,7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-9 are presented for examination.

Priority

The examiner acknowledges receipt of applicant's claim for foreign priority. Applicant cannot rely upon the foreign priority papers to overcome rejections based on references between 6/19/2002 and 10/7/2002 because the translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: FIG.1 S150 and FIG.2 S240. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 3 is objected to because of the following informalities: the examiner believes that "the memory address" in line 3 of the claim should instead recite, "a memory address". Appropriate correction is required.
3. Claim 7 is objected to because of the following informalities: the examiner believes that "a hard drive system" in line 2 of the claim should instead recite, "a system having a hard drive.". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 recites the limitation "the memory chip" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 5 recites the limitations "the memory module testing/repairing procedure" in line 7, and "the memory chip" in lines 12 and 15 of the claim. There is insufficient antecedent basis for the limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Farnworth et al., U.S. Patent No. 6240535.

As per Claim 1:

Farnworth et al. teaches a memory module testing/repairing method for testing and repairing a memory module (column 1 lines 20-24), comprising the steps of: testing the memory module (column 2 lines 48,49, column 3 line 12, FIG.12A 164); registering any faulty memory addresses in the memory module (column 3 lines 12-14, FIG.12A 166-168 and FIG.13A 180, 182)); and blocking out fixed address paths to the faulty memory addresses and replacing the faulty memory addresses by selecting standby addresses (FIG.12B 170).

As per Claim 2:

Farnworth et al. further teaches the memory module testing/repairing method of claim 1, wherein the step of blocking out fixed address paths to the faulty memory addresses and replacing with specially selected standby addresses is carried out by blowing an electrical fuse (see Abstract and FIG.13A).

As per Claim 4:

Farnworth et al. further teaches the memory module testing/repairing method of claim 1, wherein the method further includes setting the memory chip on the memory module into a testing mode (column 2 lines 48,49).

7. Claims 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Crump et al., U.S. Patent No. 5850562. The applicant is reminded that a recitation of the intended

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use of the claimed invention must result in a structural difference between the claimed invention and prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

As per Claim 5:

Crump et al. teaches a memory module testing/repairing device for testing and repairing a memory module, comprising: a storage medium (FIG.3B 84 Floppy) holding testing/repairing programs for testing and repairing the memory module; and a main computer board having memory module slots therein for accommodating memory modules (column 15 lines 12-31) and retrieving testing/repairing programs from the storage medium before carrying out the memory module testing/repairing procedure, wherein the testing/repairing procedure further includes the following steps: testing the memory module; registering any faulty memory addresses in the memory module; setting the memory chip on the memory module to a testing mode; blocking out the fixed address path to faulty memory addresses and replacing the faulty memory addresses by selecting standby addresses; and setting the memory chip on the memory module back to a normal operation mode (all process steps are executable by the above referenced PC without any modification).

As per Claim 6:

Crump et al. further teaches the memory module testing/repairing device of claim 5, wherein the storage medium is a system having a floppy disk and a floppy disk reader (FIG.3B 84 Floppy).

As per Claim 7:

Crump et al. further teaches the memory module testing/repairing device of claim 5, wherein the storage medium is a hard drive system (column 1 lines 15-38).

As per Claim 8:

Crump et al. further teaches the memory module testing/repairing device of claim 5, wherein the storage medium is a system having an optical disk and an optical disk reader (column 4 lines 21-41).

As per Claim 9:

Crump et al. further teaches the memory module testing/repairing device of claim 5, wherein the device further includes a display monitor for displaying testing/repairing results (FIG.3B 106a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farnworth et al., U.S. Patent No. 6240535, and further in view of Sher et al., U.S. Patent No.

6154851. Farnworth et al. fails to further teach the memory module testing/repairing method of claim 1, wherein the step of testing the memory module includes writing data into each memory address and reading data from the memory address and confirming the validity of the read-out data. But in an analogous art, Sher et al. does teach this feature in column 6 lines 44-55. And column 1 lines 65-68 and column 2 lines 1-2, the advantage of the invention is the capability to test and repair memory modules in a personal computer without removing the memory. One with ordinary skill in the art at the time of the invention, motivated as suggested, would combine the test method of Sher et al. with the test method of Farnworth in order to repair memory modules in a PC.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P Trimmings whose telephone number is (703) 272-3830. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (703) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John P Trimmings
Examiner
Art Unit 2133

jpt


Guy J. LAMARRE
PRIMARY EXAMINER